

**Regular Meeting of the Legal Committee
Held in the Conference Room at City Hall
August 25, 2016**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 15-56.

ROLL CALL

The meeting convened at 4:00 p.m. with Chairman Perry presiding; Councilors Oropesa and Foster present and Councilor Best being absent.

Staff present: Monica Garcia, Lupita Everett, Sharon Coll, Bill Morris, Rich Olson and Scott Stark.

Guests present: Mark Fischer, Amy Ward, Caleb Grant and John Mulcahy

APPROVAL OF AGENDA

Councilor Oropesa moved to approve the August 25, 2016 Legal Committee meeting agenda. Councilor Foster was the second. A voice vote was unanimous and the motion passed with Councilor Best being absent.

APPROVAL OF MINUTES

Councilor Foster moved to approve the minutes from the June 29, 2016 and July 28, 2016 regular Legal Committee meetings. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Best being absent.

NON-ACTION ITEMS

Discussion of Resolution 13-28 – concerning the rent abatement policy at the Roswell International Air Center (RIAC). Mr. Morris discussed Resolution 13-28 stating that the State Procurement Policy does not pertain to leases. The City of Roswell adopted Resolution 13-28 on July 18, 2013 which establishes the rent abatement policy for City properties at the RIAC. Ms. Garcia explained the process for Emergency Procurements and Sole Source Procurements. Committee members gave staff direction to draft an addendum for Resolution 13-28 concerning Emergency Procurements for RIAC leases.

Discussion of the draft proposed ordinance to regulate Body Arts Safe Practices (tattooing) within the City of Roswell. Committee members, city staff and Amy Ward from A-OK Tattoo discussed proposed changes to the draft ordinance.

REGULAR ITEMS

To recommend to full City Council that the following RIAC agreements to existing leases be placed on the Consent agenda for approval:

1. To consider approval to authorize Staff Links, Inc., a Corporation, to renew their current lease agreement on Building No. 732: Mr. Stark discussed the lease agreement. Staff Links, Inc., leases the building for the purpose of storage. The

building space is 2,860 square feet. New monthly rent amount is \$262.66; \$3,151.92 annually. Staff Links, Inc., has been a customer since November 2011. Councilor Foster moved to approve and send on Consent agenda approval to authorize Staff Links, Inc., a Corporation, to renew their current lease agreement on Building No. 732. Councilor Oropesa was the second. Mr. Mulcahy brought to the committees attention the following about Staff Links, Inc.:

- Not registered in the state of New Mexico
- No Tax Identification Number found
- No Employer Identification Number found

Mr. Mulcahy also mentioned that the building is very well equipped and has great features for the amount of rent being charged. Councilor Foster moved to withdraw his motion. Councilor Oropesa was the second. Councilor Foster moved to table the item for the September Legal Committee meeting. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Best being absent.

2. To consider approval to authorize Mystic, Inc., a New Mexico Corporation, to amend their current lease agreement to allow the return of certain parts of the leasehold to landlord and a reduction of rent: Mr. Stark discussed the lease agreement. Mr. Fischer stated that Mystic, Inc., is experiencing reduced revenue due to current economic conditions. Mystic, Inc., is requesting to pay landlord as rent the sum of \$6,330 monthly; \$75,960 annually beginning August 1, 2016 through July 31, 2017. Councilor Foster moved to send to full City Council on Consent agenda the approval to authorize Mystic, Inc., a New Mexico Corporation, to amend their current lease agreement to allow the return of certain parts of the leasehold to landlord as of September 9, 2016. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed.

PUBLIC PARTICIPATION

John Mulcahy stated that he takes strong offense that the media reported at a national level that Roswell is a boneyard, graveyard and a place where airplanes go to die. Mr. Mulcahy encourages the City of Roswell to get the message out that Roswell is not a graveyard. The MRO Facility provides jobs to support many families by storing not only for space but also for service.

ADJOURN

Meeting adjourned at 5:10 p.m.